

AMENDED IN ASSEMBLY APRIL 27, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 1407

Introduced by Assembly Member Huffman

February 27, 2009

An act to amend ~~Section~~ *Sections 48313 and 48315* of the Education Code, relating to pupil attendance, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

AB 1407, as amended, Huffman. Pupil attendance: interdistrict transfers.

Existing law requires each person between the ages of 6 and 18 years of age, who is not otherwise exempt, to attend the public full-time day school in the school district in which his or her parent or guardian is a resident. The governing board of a school district is authorized to accept interdistrict transfers by admitting pupils residing in other school districts to attend its schools, subject to specified conditions. A school district that elects to accept interdistrict transfers is required to keep an accounting of all requests made for alternative attendance and records of all dispositions of those requests and to report this information to the Superintendent of Public Instruction who is required to make this information available to the Governor, the Legislature, and the public on an annual basis.

The bill would require the State Department of Education to prepare and submit to the Legislature a census report evaluating interdistrict transfer options within the state that includes specified information.
Existing

Existing law makes those the provisions authorizing a school district to accept interdistrict transfers inoperative on July 1, 2009, and repeals those provisions on January 1, 2010.

This bill would extend the inoperative and repeal dates of those provisions to July 1, 2014, and January 1, 2015, respectively.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 48313 of the Education Code is amended*
2 *to read:*

3 48313. (a) Pursuant to this article, each school district electing
4 to accept transfer pupils shall keep an accounting of all requests
5 made for alternative attendance and records of all disposition of
6 those requests that may include, but are not limited to, all of the
7 following:

8 (1) The number of requests granted, denied, or withdrawn. In
9 the case of denied requests, the records may indicate the reasons
10 for the denials.

11 (2) The number of pupils transferred out of the district pursuant
12 to this article.

13 (3) The number of pupils transferred into the district pursuant
14 to this article.

15 (b) The information maintained pursuant to subdivision (a) may
16 be reported to the governing board of the school district at a
17 regularly scheduled meeting of the governing board. The school
18 district annually shall report the information maintained pursuant
19 to subdivision (a) in addition to information regarding the district's
20 status as a school district of choice to the Superintendent on or
21 before a date designated by the Superintendent. Commencing in
22 2008, the Superintendent annually shall make the information
23 available to the Governor, the Legislature, and the public on or
24 before April 1.

25 (c) On or before November 1, ~~2008~~ 2010, the department shall
26 prepare and submit to the Legislature a *census* report evaluating
27 interdistrict transfer options within the state with an emphasis on
28 the interdistrict transfer program established pursuant to this article.

1 The report shall include, but is not limited to, the information
2 described in paragraphs (1) to (3), inclusive, of subdivision (a) and
3 all of the following:

4 (1) The number and characteristics of pupils who use one of the
5 various interdistrict transfer options and other school choice options
6 within the state, with a specific focus on pupils who use the
7 interdistrict transfer program established pursuant to this article.
8 The characteristics reported on pursuant to this paragraph shall
9 include, but not be limited to, race, ethnicity, socioeconomic status,
10 English proficiency, and whether or not the pupil participates in
11 a special education program, the International Baccalaureate
12 Program, or another specialized instructional program.

13 (2) The Academic Performance Index scores of schools in school
14 districts of residence and school districts of choice for the previous
15 five years, including subgroup scores.

16 (3) The graduation rates of school districts of residence and
17 school districts of choice for the previous five years.

18 (4) The enrollment of school districts of residence and school
19 districts of choice for the previous five years.

20 (5) The fiscal health of school districts of residence and school
21 districts of choice, including, but not limited to, both of the
22 following:

23 (A) Whether or not the school district is experiencing a decline
24 in enrollment.

25 (B) Whether or not the school district received a negative or
26 qualified rating of its certification pursuant to Section 42131.

27 (6) Whether any school district has exceeded the transfer limits
28 in Section 48307 and the resulting implications for the impacted
29 district.

30 (7) Other information the department deems appropriate,
31 including information related to educational outcomes of school
32 districts of residence and school districts of choice.

33 (8) Recommendations regarding the extension of the interdistrict
34 transfer program pursuant to this article.

35 (d) To the extent practicable, the department shall survey school
36 districts of residence and school districts of choice to gather the
37 information described in paragraphs (1) to (7), inclusive, of
38 subdivision (c).

1 ~~SECTION 1.~~

2 *SEC. 2.* Section 48315 of the Education Code is amended to
3 read:

4 48315. This article shall become inoperative on July 1, 2014,
5 and, as of January 1, 2015, is repealed, unless a later enacted
6 statute, which becomes effective on or before January 1, 2014,
7 deletes or extends the dates on which it becomes inoperative and
8 is repealed.

9 ~~SEC. 2.~~

10 *SEC. 3.* This act is an urgency statute necessary for the
11 immediate preservation of the public peace, health, or safety within
12 the meaning of Article IV of the Constitution and shall go into
13 immediate effect. The facts constituting the necessity are:

14 In order to ensure that pupils continue to have the opportunity
15 to apply for interdistrict transfers, it is necessary that this act take
16 effect immediately.